

## Section 43

### ENTRYWAY CORRIDOR OVERLAY DISTRICT

#### Sections:

<b>43.010</b>	<b>Title.</b>
<b>43.020</b>	<b>Intent and purpose.</b>
<b>43.030</b>	<b>Application of entryway corridor provisions.</b>
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<b>43.060</b>	<b>Design criteria and development standards in entryway corridors.</b>
<b>43.070</b>	<i>Section deleted</i>
<b>43.080</b>	<b>Deviation from overlay or underlying zoning requirements.</b>
<b>43.090</b>	<b>Appeals.</b>

#### **43.010 Title.**

These regulations shall be known as the entryway corridor overlay district regulations and may be cited as the entryway corridor regulations

#### **43.020 Intent and purpose.**

**A.** There are several arterial corridors entering the Bozeman area that introduce visitors and residents alike to Bozeman and the Gallatin Valley. The visual attributes of these roadways provide a lasting impression of the character of the area. It is the intent and purpose of this section to ensure, the quality of development along these corridors will enhance the impression and enjoyment of the community both by guiding development and change that occurs after the adoption of the regulation codified in this title and by stimulating and assisting, in conjunction with other provisions of this title, improvements in signage, landscaping, access and other contributing elements of entry corridor appearance and function.

**B.** It is the intent of this section to establish design criteria, standards and review procedures that will allow the county and its advisory boards and agencies to review and direct, in a fair and equitable manner, the development and redevelopment of future and existing properties and facilities within the entry corridors. The recommendations of the staff shall be given careful consideration in the final action of any agency, board or commission involved in entryway corridor development decisions.

#### **43.030 Application of entryway corridor provisions.**

Entryway corridor provisions shall apply to all entryway corridor areas as designated on the official zoning map. The provisions of this section shall be applied in addition to any other applicable regulations of this title. Specifically, these provisions shall be applied to all developments within such corridors as follows:

**A. Class I.** All development wholly or partially within six hundred sixty feet of the centerline of the following roadways:

1. Interstate 90, within the Gallatin County / Bozeman Area zoning jurisdictional boundary, measured from the centerline of the outside lanes of the opposing roadways and from the centerline of the access ramps;
2. Interstate 90 frontage roads within the Gallatin County / Bozeman Area zoning jurisdictional boundary, whether or not they are designated frontage roads
3. U.S. 10, from the I-90/North Seventh Avenue Interchange west to the Gallatin County / Bozeman Area zoning jurisdictional boundary;
4. U.S. 191, west from Ferguson Road to the Gallatin County / Bozeman Area zoning jurisdictional boundary;
5. Nineteenth Avenue, north from Durston Road to the North 19th Avenue/Interstate 90 Interchange, exclusive of the east side between Durston Road and the south boundary of Covered Wagon Mobile Home Park;
6. Oak Street west from North Seventh Avenue to North Nineteenth Avenue.

**B. Class II.** All development wholly or partially within the lesser of one city block or three hundred thirty feet of the centerline of the following roadways, with the exception of residentially zoned lots (no exception for R-O district) that have no frontage upon said roadways:

1. Nineteenth Avenue, south from Durston Road to the Gallatin County / Bozeman Area zoning jurisdictional boundary, and the east side of Nineteenth Avenue, between the south boundary of Covered Wagon Mobile Home Park and Durston Road;
2. Main Street west from Seventh Avenue to Ferguson Road;
3. Rouse Avenue and State Primary 86 (Bridger Canyon Road) from Tamarack north and east to the Gallatin County / Bozeman Area zoning jurisdictional boundary;

#### **43.040**

*Section deleted.*

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#### **43.050**

*Section deleted.*

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#### **43.060            Design criteria and development standards in entryway corridors.**

The following general design criteria and development standards shall apply to all development occurring within the areas described in section 43.030, above.

##### **A. General Standards.**

1. The development shall provide for adequate open space, circulation, off-street parking, and pertinent amenities. Buildings, structures and facilities the parcel

shall be integrated, oriented and related to the topographic and natural landscape features of the Gallatin County / Bozeman area.

2. The proposed development shall be compatible with existing and planned land use, and with circulation patterns on adjoining properties. It shall not constitute a disruptive element to adjacent or nearby properties or to the environmental character of the area.
3. The proposed development shall also comply with all applicable design standards and guidelines, including *Design Objectives Plan Entryway Corridors*. The 1990 Bozeman area master plan update neighborhood plan revision to the Gallatin County Plan recognized the important role of major arterials in the community. *Design Objectives Plan Entryway Corridors* Bozeman, Montana (Mark L. Hinshaw AIA, AICP) was designed to help development along the major arterials conform to the master plan.

**B. Access Standards.**

1. Initial access provision to properties fronting on any Class I entryway corridor roadway shall be designed so access points on said roadway are spaced no more closely than every six hundred sixty feet (660'). Initial access provision to properties fronting on any Class II entryway corridor roadway shall be designed so access points on the roadway are spaced no more closely than every three hundred thirty feet (330') or one city block.
2. Revised access schemes to previously developed or subdivided property shall consolidate access points on entryway roadways whenever possible and shall add no additional points of access to the roadways unless such addition can be demonstrated to improve the operation of the entryway roadway. It shall be the obligation of the applicant to determine an acceptable method of access to his/her property including securing access casements from adjacent properties, if necessary.
3. When addressing pre-existing development in fully built-up areas, these access standard provisions shall be interpreted in a practical manner allowing for continuing reasonable access to properties along entryway corridors.

**C. Parking, Building and Landscape Standards.** In addition to the qualitative design standards and guidelines in the *Design Objectives Plan Entryway Corridors*, parking areas and buildings shall be set back at least fifty feet (50') from any Class I entryway corridor roadway right-of-way and at least twenty-five feet (25') from any Class II entryway corridor roadway right-of-way. The setback from any entryway corridor roadway right-of-way shall be landscaped, including the screening or buffering of parking areas, through the use of berms, depressed parking, native landscape materials surrounding and within parking areas, or other means in order to preserve the area's natural views.

**43.070**

*Section deleted.*

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**43.080**

**Deviation from overlay or underlying zoning requirements.**

**A.** To accomplish the intent and purpose of this section it may be necessary to deviate from the strict application of the overlay or underlying zoning requirements. A special exception to deviate from the underlying zoning requirements may be granted by the commission after considering the recommendations of the staff.

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**B.** The application for deviation shall be subject to the submittal and procedural requirements of Section 52, Plan Review and Approval, and shall be accompanied by written and graphic material sufficient to illustrate the conditions that the modified standards will produce, so as to enable the commission to make the determination that the deviation will produce an environment, landscape quality and character superior to that produced by the existing standards, and will be consistent with the intent and purpose of this section, and with the *Design Objectives Plan Entryway Corridors* for the particular entryway corridor. Upon such a finding, the commission may authorize deviations of up to twenty percent beyond or below minimum or maximum standards respectively, as established in the underlying zoning district regulations.

#### **43.090 Appeals**

Aggrieved person, as defined in Section 58, may appeal the decision of the staff or planning board pursuant to the provision of said section. In such event, the issuance of a land use permit shall be stayed until the appeal process has been satisfied.

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